

Remarks/Arguments

Claims 27-33 remain in this application.

Claims 1-27 have been canceled.

Claims 27-33 have been added.

In response to the Office Action of November 23, 2006, Applicant requests re-examination and reconsideration of this application for patent pursuant to 35 U.S.C. 132.

Objections to the Claims

Claims 1 and 2 stand objected to for informalities. Claims 1 and 2 have been cancelled and thus this objection is believed to be moot.

Rejections under 35 USC 112

Claims 16-26 stand rejected under 35 USC 112, second paragraph. Claims 16-26 have been cancelled and thus this rejection is believed to be moot.

Rejections under 35 USC 101

Claims 16-26 stand rejected under 35 USC 101 because the claimed invention is directed to non-statutory subject matter. Claims 16-26 have been cancelled and this rejection is believed to be moot.

Rejection under 35 USC 103(a)

Claims 1-25 stand rejected under 35 USC 103(a) as being unpatentable over Poskanzer (US 5,943,696) in view of Rifkin (US 6,116,906). Claims 1-25 have been cancelled and thus it is believed that this rejection is moot.

Claim 26 stands rejected under 35 USC 103(a) as being unpatentable over Poskanzer (US 5,943,696) in view of Rifkin (US 6,116,906) and further in view of Cross (US 6,482,285). Claim 26 has been cancelled and thus it is believed that this rejection is moot.

The Applicant asserts that the primary references of record, e.g. Poskanzer (US 5,943,696) and Rifkin (US 6,116,906), do not teach or disclose a method of aesthetically altering shoes with user created images, whereby the user created images are printed onto adhesive backed laminate sheets. Whereby, the sheets are pre-cut to include peelable blank covers that can be removed from the sheets for application to selected surfaces of the shoes to alter the appearance of the shoes.

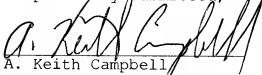
A phone interview was conducted between the Applicant's

representative and Gary Welch representative of the USPTO on April 30, 2007. In that interview newly proposed claim 27 was considered in light of the prior art of record. During the interview Mr. Welch acknowledged that the prior art of record could not be used to properly reject new claim 27 under 35 USC 102 or 35 USC 103 as the prior art of record fails to teach or disclose a method of aesthetically altering shoes with user created images, whereby the images are printed onto laminated sheets with adhesive backing for adherence to selected surfaces of the shoes.

SUMMARY

In light of the foregoing remarks and amendment to the claims, it is respectfully submitted that the Examiner will now find the claims of the application allowable. Favorable reconsideration of the application is courteously requested. Should there be any remaining issues which can be resolved via an Examiner's Amendment, the Examiner is urged to call the undersigned in order to expedite the prosecution of this application.

Respectfully submitted,



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